(25)

J.7.49-98

G. R. S. IX-5]

Previous references.

police 81 of 03.

1903-04

(police.)

File No. 82.

Serial Nos. 1-4.

Later references.

police 83 of 03

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-4

M. ~~Part~~ **B for**

SUBJECT.

Exemption of the Swamy of the Kudli, Sringeri Matt from the operations of the Arms Regulation.

Countermarked

Indexed

Dy

W D 85—GPB—50,000—24-7-16

Office of the Dewan of Mysore.

File No (if any)

Directions.

No., date and purport of receipts to be entered in red, and office note in black ink in order of dates.—To be written only on one side, and inside the line of margin.

Office Note.

Branch Judicial

Subject Exemption from the operation of the Arms Regn. and Rules.

Letter No. 260 dated 9 November 1903 from the Secy Dy. Commr. Chitaldrug Dt. recommending the — of Sri Sankara Bharati Swami of the Kudli Sringeri Mutt.

---

(1) "Are there no precedents of such exemptions in the Case of other Mutts? Look into the file, please, & put up a redraft. I do not think it satisfactory to exempt a man for going armed with and for the possession of certain arms? Who is to possess them the Guru or his retainers?

bd - Perhaps both - the names of the retainers have also to be ascertained & notified. May an enquiry be made as regards this point?

(2) Then again, if the Swami is, as he alleges, exempted from personal appearance in civil courts, then ipso-facto he is exempted under

The Arms Regulation - vide last item in clause (1) of Part I of the Arms Rules.

Copy put up - 1876 -

It is not in the file referred to.

"I want to have the notification of 1878? which you will find in the file re: exemption of the brothers-in-law of H. H. from personal appearance in Courts, recently notified"

(Sd) K. S. C.
25/11/03

Flag A. x

(1) The precedent of Sringeremutt Swami is put up. There are no other precedents.

✓ Flag B

In Govt Progs: No $\frac{9599-607}{G 1191}$ dated 18th February 1899, it was observed that it was unnecessary to pass any general order of exemption with regard to the gurus of mutts in the absence of special application from any of them.

○ (2) There is no order traceable exempting the Guru of the Kudli Sringeri Mutt from personal appearance in the civil courts. A copy of the Govt order of 1876 (not 1878 as stated in the Dt Magte's letter) is put up. It is

3 not mention the name of the Kudli Sringeri Swami.

A draft similar to the one in the case of the Murgi Mutt Guru, is submitted for app: or other orders

27/11/08

I ~~th~~ think some further information is necessary before the exemption is notified. Vide draft docket put up.

To Secy

27.11.08

Draft issued.

The Dt. Magte, in reply, states that the authority quoted was obtained from a Compilation of the Registration Laws edited by Mr. A. S. Raghavachariar, late Sub Registrar, Bangalore. He submits a copy of the Chief Commissioner's Progs: No 3862-J.38 dated July ×1878 exempting 7 gurus ~~incl~~ including the ~~[illegible]~~ Swami of the Sringeri Mutt, Shimoga from personal appearance in Civil Courts.

He submits a copy of the Bombay Govt. order exempting ~~of~~ the Guru ~~from~~ the

× No such Progs: of 1878 is forthcoming. The only available Progs: is one of 15th July 1876 - a copy of which taken from the monthly vol. is put up. This does not mention the name of the Swami of Sringeri Mutt, Shimoga as stated by the Dt. Magte.

4 the operation of the Arms Regn and Rules, in the Bombay Presidency. He further states that the exemptions may be conceded permanently, the Dt Magtes of the several Dts being left to fix the number ~~of~~ and kind of weapons, the Swami may possess in the course of his journey

Submitted for orders with a draft notifn

Fdl
15/12/03

I think the substitution of the words "Sringeri Mutt, Shimoga" for ~~"Sringeri~~ "Senior Sri Narasimha Bharati & Junior Sri Abhinava Sachidananda Narasimha Bharati ~~Swa~~ of Sringeri Mutt" is curious, & requires further investigation.

~~Please~~ Look into the Gazette for 1876 & 1877. What the officer has put up is an order, not the Gazette notifn.

15/12/03.

Ex. S —

Submitted.

I looked into the Gazettes of 1878 & 1876 and I could not find any such notifn as is referred to above. Volumes of the Gazettes are herewith submitted.

Return the gazettes.

Fdl
16/12/03

The draft notifn may be issued.

As regards exemption of retainers, I do not think this need be done, as it hasn't been asked for, & has not been granted in other cases of exemption, & if indiscriminately granted, is liable to abuse. Para 3 of the printed Order of the Bombay Govt. 8/10-89 no. 4839, (sent by the Dt. Magte.) shows that that Govt. declined to exempt the retainers of this Swami (of Nadligi)

16-12-03

This is one of the old established Mathas and deserves the concession in every way. The draft notification may be approved.

24/12/3

The Dewan will through the 2nd Councillor

21-12-03

584
21-12-03.

I agree. The draft is all right. The concession asked for may be sanctioned. The Bombay Govt. has done it and let us ~~follow suit~~ do likewise

22/12/03

Yes - but specify the arms.

23/12/3

14873
24.11.03.

D.A.

3/1/4

31.11.03

Vide list of arms which have added to the draft notifn, on the data given in the Dt. Magte's letter no. 2600 of 9-11-03. Please see, however, his last letter (para 3)

6 in which the Dt. Magte states that it is unnecessary to specify the weapons in the order of exemption, the matter being left to the discretion of individual Dt. Magts.]

4/1/.

The order may issue as directed by the Dewan

~~6/~~ 5/1/4

Recd 6.1.04

Read :-

Letter No 496-61 of 14th Jun the Judicial Commissioner forwarding a of the principal Matts of the leading sects in the Province, the Gurus presiding over which are entitled to the privilege of exemption from attendance at Civil Court

Order thereon No 3862-Jud 38 of 15th July 1876

The Chief Commissioner is pleased, under the provisions of Section 22 of the Code of Civil Procedure, to exempt the Gurus at present presiding over the seven Matts specified in the margin from personal appearance in Civil Courts of this Province on the understanding that the privilege is to be considered personal and not hereditary.

(Sd) J. Clark
A. Secretary

1. Srirangunath Desikendra Brahma thantra Parkalaswami. Mysore
2. Sri Satya Parakramaswami of Vutradi mutt Narsipur in the Hassan Dst.
3. Sri Vidya Nidhitirthaswami of Vyasarayamutt, Sosale in the Talakad Talug Mysore District
4. Senior Sri Narasimha Bharati and Junior Sri Abhinava Satchidananda Narasimha Bharati of Sringeri mutt.
5.* Charukirti Panditacharya of Sravana Belgola Hassan Dst.
6.* Murugarajendraswami Chitaldrug
7. Syed Gaus the Khadri Tuppadar Bababoodandurga Bababoodan hills Chickmangalur Taluk.

*. The names of the gurus of these mutts not known.

Proceedings of the Chief Commiſsioner of Mysore
Judicial Department, 15th July 1876.

GOVERNMENT OF MYSORE

Read - Letter No: 496-61 of 14th June 1876 from the Judicial Commiſsioner, forwarding a list of the principal Matts of the leading sects in the Province, the Gurus presiding over which are entitled to the privilege of exemption from attendance at Civil Courts.

No 3862-Judl: 38, Dated Bangalore 15th July 76

Order thereon, - The Chief Commiſsioner is pleased, under the provisions of Section 22 of the Code of Civil Procedure to exempt the Gurus at present presiding over the Seven Matts specified in the margin from personal appearance in Civil Courts of this Province, on the understanding that the privilege is to be considered personal and not hereditary.

1. Sriranganath Desikendra Brahmatantra Parkalaswami Mysore.
2. Sri Satya Parakramaswami of Vutradi Matt Narsipur in the Haſsan District.
3. Sri Vidya Sindhutirthaswami of Vyasaraya Matt, Sosala in the Talkad Taluk, Mysore District.
4. Senior - Sri Narasimha Bharati, and Junior - Siva Abhinava Satchidananda Narsimha Bharati of Shringeri Matt.
5* Charukirti Panditacharya of Shravanbelgola, Haſsan District.
6* Murugarajendraswami Chitaldroog.
7. Syed Gaus Shekhadri Sujjade Bababudandurga, Bababudan Hills Chikmagalur Taluk.

* Note - The names of the Gurus of these Matts not known.

Signed J. J. Clarke
Offg Secretary

To,

To,

The Judicial Commissioner
" Commissioners of Divisions.
" Deputy Commissioners
" Judicial Assistants.
" Munsiffs.
" Judge of the Court of Small Causes, Bangalore.

Copd.
BJ.
15/12/03.

"Copy"

General Records

Please put up a copy of Notifn No. 3862—J 38 dated 15th July 1876 for Gl No. J 902 03 from D.M. Chittagong

G.A.
14/12/03

Do. Judl Branch

Herewith a copy from the Monthly Vol: for Pro: Nos 3862/J.38 of 15th July 1876

B.J.
15/12/03.

MYSORE GOVERNMENT GENERAL & REVENUE SECRETARIAT
11-11-03
1903

J. 752
12. 11. 03

(Sc 1)

FROM
H.Ramanujaiengar Esquire,
Deputy Commissioner,
Chitaldrug District.

To

H.V.Nanjundayya Esquire,M A M L.
Secy.to the Govt-of H H the Maharaja
of Mysore General&Revenue Deptt
Bangalore

Dated 9th
Despatched } November 1903
Received

General No. 260
No. Sec/1

Enclosure No. /

Requesting him to obtain the sanction of Government to exempt under Section 22 of the Mysore Arms Regulation Sri Sankara Bharati Swami of the Kudli Sringeri Matt from obtaining licenses for the possession of certain arms on the authority of Rule I of the Rules framed under Government notification No 1 dated 1/5/1895

Jd
11. 11.

No 260 Gne
Secy 1

District Magistrate's
~~Deputy Commissioner's~~ Office,
Chitaldrug District.
Dated Chitaldrug, 9th Novr 1903

From

H.Ramanujaiengar Esquire,
Deputy Commissioner and District Magistrate
Chitaldrug District.

To

H.V.Nanjundayya Esquire,M A M L.
Secy.to the Govt-of H H the Maharaja
of Mysore, General&Revenue Depts;
Bangalore

Sir,

I have the honor to submit herewith, an application presented by the pleader Lakshminaranappa, one of the members of the Committee formed at Chitaldrug for the management of the affairs of the Kudli Sringeri Matt praying that Sri Shankara Bharathi Swami, the Guru of the Said Matt may be exempted under Section 22 of the Mysore Arms Regulation of 1890 from obtaining licenses for the possession &c of the marginally noted arms.× The Exemption is claimed on the authority of Rule 1 of the Rules framed under Government Notification No 1 dated the 1st May 1895 on the ground of the Said

× 2 Revolvers
6 Single barrelled guns
10 Swords
2 Janbies
2 Gupties or walking sticks inlaid with swords.

p. Not traceable in the Gazette or in the G.L Records.

Said Swami being exempted by Government notification No 3862-J28 dated 15th July 1878 from personal appearance in the Civil Courts of the Province.

2. The said order purports to exempt along with the Gurus of 6 other Matts, the Guru of the "Sringeri Matt, Shimoga".

3. The applicant explains that the said Kudligi Sringeri Matt being situated at Koodligi in the Shimoga Taluk, the exemption made regarding the Guru of the so called Sringeri Matt by the order above referred to, applies to the Guru in whose favor the exemption is now claimed under the Arms. Regulation

4. It would appear that the Swami above referred to intends visiting the Chitaldrug District with a large following in procession of the arms above referred to.

5. The applicant has shown me on behalf of the Matt some orders issued from time to time by His Highness the late Maharaja Sri. Krishnarajendra Wadayar Bahadur III and the European Officers of the late Commission recognizing the Guru of the Kudli Sringeri Matt as the Spiritual head of that Institution

and

and directing the local authorities to give the said Guru due reception during his journey from place to place and to render him all possible help.

6. Under the foregoing circumstances I consider that Sri Shankarabharati Swami, the present Guru of the Kudli-Sringeri Matt is in every way eligible for the exemption claimed, and beg therefore that the Government may be pleased to exempt the said Guru under Section 22 of the Arms Regulation

I have the honor to be,
Sir,
Your most obedient Servant

Dz District Magistrate
Chitaldrug Distt.

GOVERNMENT OF MYSORE

EIGHT ANNAS

Submit to Govt for orders 7.11.03

Eight annas stamp affixed. 5-11-03

451. [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] 3-4 [illegible]

[illegible]

[illegible]

2 [illegible]

2. [illegible]

4 [illegible]

8 [illegible]

2 [illegible]

2 [illegible]

2 [illegible]

[illegible]

[illegible] 5/11/[illegible]

forward a copy of the notification relied on for reference.

2). With reference to para 5, the Dt. Magte. is requested to ascertain whether there is any instance in which the Swami of the Mutt in question has been exempted from the provisions of the Arms Act.

3) It is not clear if the exemption is intended for the purpose of his journey to Chitaldroog only, or as a permanent concession. ~~4)~~ In the latter case, it would be unnecessary to specify in the order of exemption the particular weapons required to be ~~pos~~ carried.

~~4) It is presumed that the Swami has been made aware that, if the exemption is granted by Govt. as prayed for, it will be a personal one & will not operate in favour of the servants & retainers of the Swami.~~

~~A~~ Further ~~[illegible]~~ information on these points is awaited.

27-11-13

28/11/13

This may be left out. If we at all grant any exemption we must continue it to give it to his retainers also.

30/11/13

7 862

To
The Dt. Magte, Chitaldrug

No 1091 / J 7.49 of 989 S 2/12/03

Forwarding this letter no. 260 of the [illegible], recommending the exemption of the present Guru of the Kudli Sringeri mutt ~~for the position~~ under s. 12 of the Arms Regs, has the honor to observe as follows:

1) The notifn quoted in para 1 of the above should apparently be the one of the 15th July 1876, and not July 1878 as quoted. In this notifn, however, ~~the Guru of the~~ no mention is made of the "Guru of the Sringeri mutt, Shimoga," as asserted in para 2 of the Dt. Magte's letter. The Dt. Magte is requested to look once more into the matter, & if the fact be as asserted by him, to

Typed. 11/12

Political Department submitted herewith for reference and obliging return.

3. The Swami intends to visit this District shortly but the exemption is asked for as a permanent concession. It is not necessary to specify in the order of exemption the particular weapons proposed to be carried. It may be left to the Magistrates of Districts to fix the number and the kind of weapons the Swami may possess in the course of his journey.

H Ramanuja Iyengar
Dy District Magistrate
Chitaldrug District

J. P.

Judl
11/12

2-12-03

Recd.
10/12/03

11-12-03 83 1903
J902

FROM H. Ramanuja Iyengar Esquire
District Magistrate
Chitaldrug District.

To

H. V. Nanjundiah Esquire M.A., M.L.
Secretary to the Government of His Highness the Maharaja of Mysore, General & Revenue Depts, Bangalore

Dated

Despatched 7th December 1903

Received

General No. 304
No.

Enclosure No. 2

His docket No 1091 / 7 49 of 98-99 dated the 2nd instant observing that the date of notification quoted in the application made for the exemption of Sri Kudli Sringeri Swami under the Arms Regulation should be 15th July 1876 and not 1878 and requesting to send a copy of the notification relied on for reference &c.

In reply, has the honor to state that the authority quoted was obtained from a compilation of the

Registration Laws edited by Mr. A. S. Raghavachariar late Sub Registrar, Bangalore. A Copy of the Chief Com-missioner's Proceedings No. 3862 J 38 dated July 1878, — exempting — 7 gurus is herewith submitted for — reference, from which it will be seen that the Swami of "Sringeri Mut, Shimoga" is included among those that were exempted from — personal appearance in Civil Courts.

2. As regards the query as to whether there is any instance in which the Guru of the Mut in question has been exempted from the provision of the Arms — Regulation, begs to state that the Guru seems to have been exempted under the Arms Act in the Bombay Presidency as may be seen from the printed copy of the correspondence no 4939 dated Bombay Castle 10th August 1896 in the

Encl to 8h 3

The Chief Commissioner has been pleased to exempt the Gurus at present presiding over the following seven mutts from personal appearance in the Civil Courts of this Province, on the understanding that the privilege be personal, not hereditary.

Proceedings No 3862 J 38 dated July 1878

1 Parakala Swami, Mysore
2 Ebhadi Mutt, Hassan
3 Vyasaraya Mutt, Mysore
X 4 Sringeri Mutt, Shimoga
5 Charukirti, Hassan
6 Muragarajendra, Chitaldroog
7 Syed Gaus, Bababudan Hills.

'Copy'

District Magistrate
7.12.03 Chitaldrug District

Visits—Bombay Presidency.

Intended visit of Shri Shankar Bharti Swami Guru Vidya Shankar Bharti Swami of Kudalgi, a High Priest of the Smartha Hindus, to certain parts of the—

Encl 6 & 3

Indian Arms Act.

Proposed exemption of the Swami from the operation of the—

No. 4955.

POLITICAL DEPARTMENT.

Bombay Castle, 10th August 1896.

Letter from the Acting Collector, Dharwar, No. 4829, dated the 7th July 1896 :—

> "With reference to Government Resolution No. 7615, Political Department, dated 9th December 1895, I have the honour to enclose herewith a list showimg the Districts and the Native States to which Shri Shankar Bharti Swami Guru Vidya Shankar Bharti Swami of Kudalgi intends paying visits during the period of three years beginning with the present month.
>
> "2. I also enclose a letter, dated 30th ultimo, from the Swami's Vakil in reply to a notice issued from this office asking him to pay a fee of annas 4 for each weapon which the Swami intends to take with him on tour, to enable me to issue a license for a journey under Rule 14 of the Rules under the Arms Act. The Vakil now asks to be furnished with the licences free from any chaarge and cites precedents showing that formerly he was allowed to carry the weapons without the payment of any fee.
>
> "3. In view of the very exalted position the Swami holds among the Hindus and the fact that his brother Swami of Sankeshwar in the Belgaum District, who is in no way superior in position, has been exempted from the operation of the Arms Act, I have the honour to recommend that a similar exemption be granted to the Swami of Kudalgi."

Memorandum from the Acting Commissioner, S. D., No. POL.—249, dated the 14th July 1896—Forwarding the above and stating that he concurs in the recommendation made by the Collector in paragraph 3 of his letter.

RESOLUTION.—Copies of the list of places through which the Swami will pass should be forwarded to the Collectors and District Magistrates of Belgaum and Bijapur and the Political Agent, Kolhapur and Southern Maratha Country, with reference to paragraph 2 of Government Resolution No. 7615, dated the 9th December 1895.

2. Copies of the list* and of Government Resolution No. 7615, dated the 9th December, 1895, should also be forwarded to the Collectors and District Magistrates of Kanara, Ahamednagar, Thana, Khandesh, Sholapur, and Ratnagiri, the Political Superintendent, Savantvadi, and the Collectors and Political Agents of Satara, Poona and Kolaba.

3. The name of Shri Shankar Bharti Swami Guru Vidya Shankar Bharti of Kudalgi as a landholder in British India should be noted for entry in the next list to be published of exemptions under clause (10) paragraph 1 of the Notification of Government of India, No. 518, dated the 6th March 1879. The Swami's retainers cannot be exempted

---

* Printed on page 3.

4. Government do not consider that there is sufficient ground for asking the Government of India to remit the fees on applications for licences to carry arms, as in the case of Native Chiefs.

H. BATTY,
Acting Chief Secretary to Government.

To

The Commissioner, N. D.,
The Commissioner, C. D.,
With copies of Government Resolution No. 7615, dated the 9th December 1895.

The Commissioner, S. D.,
The Political Agent, Kolhapur and Southern Maratha Country,
The Political Superintendent, Savantvadi,
The Collector and Political Agent, Satara,
The Collector and Political Agent, Kolaba,
The Collector and District Magistrate, Kanara,
The Collector and District Magistrate, Ahmednagar,
The Collector and District Magistrate, Thana,
The Collector and District Magistrate, Khandesh,
The Collector and District Magistrate, Sholapur,
The Collector and District Magistrate, Ratnagiri,
The Collector and District Magistrate, Dharwar,
The Collector and District Magistrate, Belgaum,
The Collector and District Magistrate Bijapur.
The Judicial Department of the Secretariat.
With copies of Government Resolution No. 7615, dated the 9th December 1895.

No. 6051, Dharwar,
25th August 1896.

Copy forwarded for information to the Vakil to His Holiness the Swami of Kudalgi.

(Signed) ILLEGIBLE,
Ag. Head Clerk.

(Signed)
Collector and District Magistrate.

List of places through which Shri Shankar Bharti Swami Guru Vidya Shankar Bharti Swami of Kudalgi proposes to travel.

Districts.	Native States.
1. Dharwar.	1. Kolhapur.
2. Kanara.	2. Sangli.
3. Belgaum.	3. Miraj (Senior).
4. Satara.	4. Miraj (Junior).
5. Poona.	5. Jamkhandi.
6. Ahmednagar.	6. Kurundvad.
7. Khandesh.	7. Mudhol.
8. Thana.	8. Ramdurg.
9. Ratnagiri.	9. Jath.
10. Sholapur.	10. Bhor.
11. Bijapur.	11. Phaltan.
	12. Aundh.
	13. Janjira.
	14. Savantvadi.

44

Notification

Approved
22-12-03

In exercise of the
powers conferred
by Section 22 of
Mysore Arms Regn
No VI of 1890, the
Govt of His Highness
the Maharaja of
Mysore are pleased
in the Territories of Mysore
to exempt Sri
Sankara Bharati
Swami of the Kudli
Sringeri Mutt in the
Shimoga Dt from the
operation of all
and directions
prohibitions (contained
in Sections 8, ~~and~~ 9, 10
& 11 of the said Regulation,
other than those
cannon
referring to ~~Cannon~~,
articles designed for
torpedo service, war
rockets and machinery
for the manufacture
of arms and am-

necessary, subject to the proviso that the arms ~~carried~~ possessed shall ~~not be~~ ~~exceeding~~ be limited following, …

2 Revolvers
6 Single barrelled guns
10 Swords
2 Jambias
2 Guptis or walking sticks inlaid with [illegible]

4-1-04

By order

5/1/4
Secretary

To
the Dy Compiler,
Mysore Gazette

1381 / J. 497 98-99 d 7/1/04

Memo

Copy to the Dt. Magte of Chitaldrug with reference to his No. 260 dated 9th November 1903 and No. 304 d 7/12/03. — 1382 / J d 7/1/04

Do — to the Inspector General of Police. — 1383 / J d 7/1

By order

Secretary